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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,144	07/30/2003	William J. Thomas	100202796-1	9479
22879 7590 01/03/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER LEMMMA, SAMSON B	
			ART UNIT 2132	PAPER NUMBER
			NOTIFICATION DATE 01/03/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/630,144	THOMAS ET AL.	
	Examiner	Art Unit	
	Samson B. Lemma	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 and 57-59 is/are allowed.
- 6) ☒ Claim(s) 1-50 and 52-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in reply to an amendment filed on December 10, 2007.
Claims 51 and 56 are canceled. Independent claims 1, 13, 14, 28, 35 and 50 are amended. Claims 1- 50 and 51-55 and 57-59 are pending/examined.
2. In view of the telephone conference made with applicant's representative on December 5, 2007, Examiner and Applicant's representative agreed that the amendment made to the Independent claims 1, 14, 28, 35 and 50 would overcome the ground of rejection set forth in the pervious office action and possibly be allowable. However Examiner indicated that further search and consideration and approval from the supervisor is required before the claims are allowed.
3. In the pervious office action, claim 13 was objected to as being dependent upon a rejected base claim, but Examiner indicated that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The amendment made to claim 13 overcomes the ground of rejection set forth in the pervious office action and independent claim 13 and dependent claim 57-59 are allowed.

Response to Arguments

4. Applicant's remark/arguments filed on December 10, 2007 regarding independent claims 1, 13, 14, 28, 35 and 50 have been considered but are moot in view of allowance.

However Applicant's argument filed on December 10, 2007 regarding independent claims 45, 47, 49, 53 and 55 are not persuasive.

The Examiner would counters that a careful reading of Butler/the reference on

the record/ reveals that each and every limitation of the independent claims 45, 47, 49, 53 and 55 are taught by passage cited in rejection of the claims in the pervious office action.

For instance, **Regarding independent claim 45 and 55, Butler discloses**

a key fragment generator for segmenting a key string M [figure 2, ref. Num "202"] authorizing use of software into a plurality of error- detectable key Fragments [figure 2, ref. Num "210" and "212"] , comprising:

a key fragmenter adapted to input the key string [Figure 2, ref. Num "202"] and produce key fragments [figure 2, ref. Num "210" and "212"]; a check data generator configured to calculate check data corresponding to the key fragments [Figure 2, ref. "index"] , wherein the check data can be subsequently used to detect if the corresponding key fragment is entered incorrectly [figure 4, ref. Num "216"]; a combiner configured to combine the key fragments and the corresponding check data to provide the plurality of error-detectable key fragments [figure 2, ref. Num "214"]; and a dictionary configured to provide friendly key fragments [figure 2, ref. Num "216"/such as "Moon" and "Smile"]

Like wise, Regarding claims 47, 49 and 53 Butler discloses

a key defragmenter [figure 4, ref. Num "218"] for combining a plurality of entered error-detectable key fragments into a reconstituted key string [figure 2, ref. Num 216], for authorizing use of software each error-detectable key fragment comprising key data [figure 2, "Index"] and check data [figure 2, ref. Num "214"], the key defragmenter comprising:

an error checker adapted to use the check data of at least one of the entered error-detectable key fragments to detect if the entered error-detectable key fragment is entered incorrectly [[column 5, lines 53-58 and figure 4, ref. Num

"404"]; and an accumulator adapted to defragment the key data of the entered error- detectable key fragments into the reconstituted key string and provide the reconstituted key string [figure 2/4, ref. Num "216"].

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. **Independent claims 1, 14, 28, 35 and 50** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These Claim recites, the limitation "**the first partial friendly error-detectable key fragment.**" There is insufficient antecedent basis for this limitation in the claim.
- Appropriate correction is required.
7. **Claims 2-12, 15-27, 29-34, 36-44 and 52** depend from the rejected claims **1, 14, 28, 35 and 50** and include all the limitations of the respective claims, thereby rendering those dependent claims indefinite.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 45-49 and 53-54** are rejected under 35 U.S.C. 102(e) as being anticipated by Richard M. Butler (hereinafter referred as **Butler**)(U.S. Patent No. 7, 028,192 B2) (Claims priority of continuation application No. 09/449, 794) (filed on Nov. 26, 1999)

10. **As per claims 45 and 55, Butler discloses**

a key fragment generator for segmenting a key string M [figure 2, ref. Num "202"] authorizing use of software into a plurality of error- detectable key Fragments [figure 2, ref. Num "210" and "212"] , comprising:

a key fragmenter adapted to input the key string [Figure 2, ref. Num "202"] and produce key fragments [figure 2, ref. Num "210" and "212"]; a check data generator configured to calculate check data corresponding to the key fragments [Figure 2, ref. "index"] , wherein the check data can be subsequently used to detect if the corresponding key fragment is entered incorrectly [figure 4, ref. Num "216"]; a combiner configured to combine the key fragments and the corresponding check data to provide the plurality of error-detectable key fragments [figure 2, ref. Num "214"]; and a dictionary configured to provide friendly key fragments [figure 2, ref. Num "216"/such as "Moon" and "Smile"]

11. **As per claim 46 Butler discloses a method as applied to claims above.**

Furthermore, Butler discloses the method, further comprising: a friendly key generator configured to convert error-detectable key fragments into friendly error-detectable key fragments, wherein said friendly error-detectable key

fragments are words recognizable by humans. [Figure 2, ref. Num "216" such as "Moon: Smile"]

12. **As per claims 47-49; 53-54 Butler discloses** a key defragmenter [figure 4, ref. Num "218"] for combining a plurality of entered error-detectable key fragments into a reconstituted key string [figure 2, ref. Num 216], **for authorizing use of software** each error-detectable key fragment comprising key data [figure 2, "Index"] and check data [figure 2, ref. Num "214"], the key defragmenter comprising:

an error checker adapted to use the check data of at least one of the entered error-detectable key fragments to detect if the entered error-detectable key fragment is entered incorrectly [[column 5, lines 53-58 and figure 4, ref. Num "404"]; and an accumulator adapted to defragment the key data of the entered error- detectable key fragments into the reconstituted key string and provide the reconstituted key string [figure 2/4, ref. Num "216"].

Allowable Subject Matter

13. **Claims 13, 57-49** are allowed.
14. **Claims 1-12; 14-27; 28-34; 35-44; 50-52** will be allowed if the applicant overcome the 35 USC § 112 rejection set forth in this office action.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory

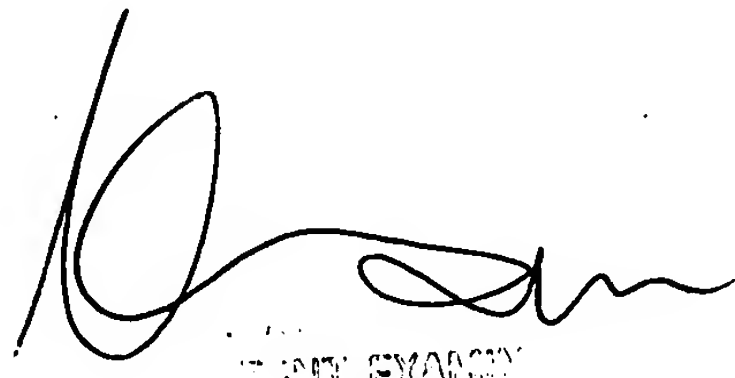
action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
12/05/2007



EXAMINER
12/05/2007